

1 DAVID L. ANDERSON (CABN 149604)
United States Attorney
2 SARA WINSLOW (DCBN 457643)
Chief, Civil Division
3 PAMELA T. JOHANN (CABN 145558))
Assistant United States Attorney

4 450 Golden Gate Avenue, Box 36045
5 San Francisco, California 94102
Telephone: (415) 436-7025
6 Facsimile: (415) 436-7234
pamela.Johann@usdoj.gov

7 Attorneys for Defendant

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION
11

12 THE CENTER FOR INVESTIGATIVE
REPORTING and JENNIFER GOLLAN,

13 Plaintiffs,

14 v.

15 UNITED STATES DEPARTMENT OF
16 LABOR,

17 Defendant.

) Case No. 18-cv-02414-DMR
)
)
)

) **STIPULATED JOINT REQUEST TO EXTEND**
) **BRIEFING SCHEDULE REGARDING**
) **MOTIONS FOR SUMMARY JUDGMENT;**
) **ORDER (AS MODIFIED)**
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19 The parties, by and through their undersigned attorneys, hereby stipulate pursuant to Civil Local
20 Rule 6-1(b) and 7-12, subject to the approval of the Court, to extend the schedule regarding the parties'
21 Motions for Summary Judgment. This stipulation is based on the accompanying Declaration of Pamela
22 T. Johann and the following facts:

23 1. On July 2, 2019, this Court entered an order granting the parties' stipulated request to
24 establish a briefing schedule for cross-motions for summary judgment. Dkt. No. 21. Under this
25 schedule, the last day for Defendant to file Motion for Summary Judgment is August 20, 2019.

26 2. This order followed the Supreme Court's June 24, 2019 decision in *Food Marketing*
27 *Institute v. Argus Leader Media*, 139 S. Ct. 2356 (2019). The present case had been stayed pending that
28 decision, which was anticipated potentially to impact the standard for the application of FOIA

1 Exemption 4.

2 3. In the weeks since the briefing schedule was established, Defendant has been in the
3 process of reviewing the *Argus Leader* decision and determining its application to the facts of the
4 current litigation. That process is ongoing.

5 4. For that reason, Defendant has requested, and Plaintiff has agreed, to extend the time for
6 Defendant to file its Motion for Summary Judgment. The parties have agreed to an extension of two
7 weeks, with the possibility of additional time if appropriate following further meet and confer.

8 5. Accordingly, the parties have stipulated to the following revised schedule:

- 9 1. Last day for Defendant to file Motion for Summary Judgment: September 3, 2019,
10 not to exceed 25 pages of text.
- 11 2. Last day for Plaintiffs to file Opposition and Cross Motion for Summary Judgment:
12 October 15, 2019, not to exceed 25 pages of text.
- 13 3. Last Day for Defendant to file Reply and Cross-Opposition: November 5, 2019, not
14 to exceed 20 pages of text.
- 15 4. Last Day for Plaintiff to file Cross-Reply (if necessary): November 26, 2019, not to
16 exceed 20 pages of text.
- 17 5. Hearing: December 12, 2019 at 1:00 p.m.

18 The parties jointly request that the Court enter an order revising the schedule accordingly.

19 DATED: August 16, 2019

Respectfully submitted,

20 DAVID L. ANDERSON
United States Attorney

21 /s/ Pamela T. Johann
22 PAMELA T. JOHANN
23 Assistant United States Attorney

24 Attorneys for Defendant
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1 DATED: August 16, 2019

THE CENTER FOR INVESTIGATIVE
REPORTING

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3 /s/ D. Victoria Baranetsky
D. VICTORIA BARANETSKY

4 Attorneys for Plaintiffs

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6 ATTESTATION

7 I, Pamela T. Johann, hereby attest that I have obtained the concurrence in the filing of this
8 document from D. Victoria Baranetsky.

9
10 /s/ Pamela T. Johann
PAMELA T. JOHANN

ORDER (AS MODIFIED)

PURSUANT TO STIPULATION, IT IS SO ORDERED AS MODIFIED.

Dated: August 20, 2019

